

ACTION WHA-00

RELEASED IN FULL

INFO	LOG-00	NP-00	AID-00	CIAE-00	INL-00	DOEE-00	DOTE-00
	ANHR-00	DS-00	EB-00	EUR-00	OIGO-00	FAAE-00	UTED-00
	VC-00	IPS-00	H-00	TEDE-00	INR-00	IO-00	LAB-01
	L-00	VCE-00	AC-00	NEA-00	DCP-00	NSAE-00	OIC-00
	OMB-00	NIMA-00	PA-00	PM-00	PRS-00	ACE-00	P-00
	SCT-00	SP-00	SSO-00	SS-00	ASDS-00	FMP-00	IIP-00
	PMB-00	DSCC-00	PRM-00	DRL-00	G-00	NFAT-00	SAS-00

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R 012149Z NOV 04
 FM AMEMBASSY BUENOS AIRES
 TO SECSTATE WASHDC 7778
 INFO AMEMBASSY ASUNCION
 AMEMBASSY BRASILIA
 AMEMBASSY MONTEVIDEO
 AMEMBASSY SANTIAGO
 AMEMBASSY TEL AVIV
 DEPT OF JUSTICE WASHDC
 DEPT OF LABOR WASHDC
 DEPT OF TREASURY WASHDC
 FBI WASHDC
 NSC WASHDC
 SECDEF WASHDC
 USCINCSO MIAMI FL
 USDOC WASHDC
 USMISSION GENEVA
 USMISSION UNVIE VIENNA

UNCLAS BUENOS AIRES 003081

SENSITIVE

STATE FOR WHA/BSC, WHA/PPC, EB/IFD/OMA, S/CT
 NSC FOR TOM SHANNON AND MIKE DEMPSEY
 FBI FOR CTD/IRAN-HIZBOLLAH UNIT FOR SSA, SCOTT SUITTS

E.O. 12958: N/A
 TAGS: PGOV, PINR, PREF, PREL, PTER, KJUS, AR
 SUBJECT: COURT RELEASES DOCUMENTS SUPPORTING SEPTEMBER 2
 ACQUITTAL DECISION IN AMIA TERRORIST BOMBING TRIAL

REF: BUENOS AIRES 2540

1. SENSITIVE BUT UNCLASSIFIED

2. On October 29, the Third Federal Oral Court finally
 released the documentation supporting the three-judge panel's

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September 2 acquittal of all 22 Argentine defendants (including the 5 principle defendants - 4 Buenos Aires policemen and the chop-shop owner who implicated them) in the 1994 AMIA Jewish Community Center terrorist bombing (Reftel). In that September 2 decision, the Court also called for an investigation into the conduct of the bombing investigation and trial by the original criminal judge Juan Jose Galeano, other court officials, former Menem government officials, assorted individuals, and even members of a bi-cameral congressional committee formed at the time to investigate the attack.

3. In the 4,500-page decision released by the Court, the Panel conceded that the source of the explosion that devastated the AMIA center, killing 85 people, was a van loaded with 300 to 400 kilograms of explosives. After that point, however, the Court turns the case on its head, accusing Judge Galeano, other court and government officials, members of Congress and others of conspiring to fabricate a case against the police in order to provide scapegoats in the attack. The Court found that Galeano's star witness, chop-shop owner Carlos Telledin, was paid USD 400,000 in monies from the Argentine intelligence service (SIDE) -- with the knowledge and complicity of Galeano, former head of SIDE Hugo Anzorreguy, and former Menem-era Interior Minister Carlos Corach -- to implicate his police co-defendants.

4. The Court has ordered that a new investigation be opened against Galeano for "arbitrary consideration of evidence," lack of impartiality and bribery; and against former Interior Minister Corach and SIDE head Anzorreguy for their role in the illegal payment made to Telleldin and their support for Galeano's activities. Also to be investigated for their alleged role in the "conspiracy" to implicate the accused police officers is former Delegation of Jewish Associations (DAIA) president Ruben Bereja, and a number of members of a bi-cameral Congressional Commission formed at the time. In related news, Judge Galeano is scheduled to appear November 5 before the Council of Magistrates for the beginning of what is likely to be impeachment proceedings against him.

4. (SBU) COMMENT: Interested parties are just starting to wade through the 4,500 pages of the court decision and none of the principle parties have made any substantive public comment yet. Galeano, Corach, DAIA, AMIA and others have 10 days to appeal the decision. Although the AMIA investigation now has turned inward (i.e. looking at the actions of investigators and authorities rather than the perpetrators), at the end of the day the families of the victims of the 1994 bombing will still be looking to the government to identify

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the perpetrators of the attack and try to bring them to justice. With all of the evidence collected by Galeano now called into question by this court decision, the danger lies in the possibility that good leads and evidence will be tossed out with the possibly-tainted.

GUTIERREZ

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